

**Commonwealth's Attorney**

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## Commonwealth's Attorney

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### **MISSION**

The mission of the Commonwealth's Attorney is to investigate and prosecute felony, misdemeanor, traffic and juvenile criminal cases. The cases are presented by the following law enforcement offices: Virginia State Police, the Loudoun County Sheriff's Office, the Leesburg, Middleburg and Purcellville Police Departments, the Metropolitan Washington Airport Authority Police Department and the County's department of Social Services, and Animal Care and Control. In addition, the Commonwealth's Attorney handles criminal complaints filed by private citizens. The Victim Witness program, also overseen by this Office, provides an interface between the judicial system and crime victims and witnesses. The program helps ensure victim/witness cooperation in the prosecution process, increases witness safety and reduces the trauma that often results from being involved in a criminal case.

### **DESCRIPTION**

As legal counsel for the Commonwealth of Virginia, the duties of the Office are mandated by the Code of Virginia. An "on duty" prosecutor is available to respond to legal inquiries from law enforcement officers and magistrates during regular business hours and an "on call" prosecutor is available twenty-four hours to handle any law enforcement emergencies or other situations requiring immediate attention. The attorneys are also available to work with law enforcement agencies and provide legal advice as required to facilitate investigations in specific complex cases. The office focuses particular attention on addressing gang activity and has one prosecutor assigned as a liaison to the gang investigation unit. This position also coordinates regional efforts with neighboring Northern Virginia jurisdictions and participates in the Multi-Jurisdictional Grand Jury. Additionally, one full-time prosecutor is specifically assigned to address cases involving domestic abuse. The office is involved in developing training programs for local law enforcement agencies.

The Victim Witness program provides twenty-four hour crisis intervention. Advising victims of their rights (as provided by Virginia Code) and notifying them of the services the program provides. These services include, but are not limited to, the following: explanation of the court process, courtroom tours, liaison within criminal justice system, courtroom accompaniment, witness preparation, filing of claims through the criminal injuries compensation fund, referral to supportive services, preparation of victim impact Statements, restitution assistance, and safety planning. The program takes an active role in educating the public on issues related to domestic and sexual violence and organizes Victim Impact Panels for DWI offenders.

### **BUDGET OVERVIEW**

#### **FY 07 Issues, Challenges & Trends:**

- Strong residential and commercial development makes the County an attractive target for criminal activity and gang related crimes; as such, it is difficult to predict the criminal caseload. The establishment of a multi-jurisdictional grand jury in FY 06 will become an important investigative and charging tool.
- The office will concentrate on the development of a Domestic Violence prosecution section to coordinate with designated law enforcement and County agencies that have dedicated personnel toward this effort.
- The addition of a Juvenile & Domestic Relations Court Judge in early FY 06 and the likelihood of an additional Judge in General District Court (early FY 07) poses new complications in the office's ability to cover all of the court dockets.
- The Victim Witness program continues to manage a large volume of cases. Crimes against persons, including but not limited to child abuse, sexual assault, domestic violence, homicide and identity theft, are time intensive and require specialized services.

#### **FY 07 Major Goals:**

- Develop cases with regional gang prosecutors through the efforts of the multi-jurisdictional grand jury.
- Establish the Domestic Violence prosecution section to effectively prosecute domestic abuse cases in a coordinated effort with local agencies.
- Increase the number and amount of claims to the Criminal Injuries Compensation Fund through educational efforts with victims of crime.

#### **FY 06 Major Achievements:**

- The office received a State grant for a Domestic Violence prosecutor (1.00 FTE) which was supplemented by local funds.
- The office regularly receives applications from law students interested in internships. This has dramatically increased the number of volunteer hours in the office and has negated the need for full time legal assistants/paralegals.
- The office has initiated a law enforcement training program to keep officers updated on current legal issues, evidence collection and updates to the Virginia Code.
- The Victim Witness Program underwent significant organizational changes. This has alleviated unnecessary workload and allowed the case managers to more effectively and efficiently provide services to victims.

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### Department Financial Summary

Departmental Financial Summary	FY 03 Actual	FY 04 Actual	FY 05 Actual	FY 06 Adopted	FY 07 Adopted
<b>Expenditures:</b>					
Personnel	\$2,071,604	\$2,194,486	\$2,174,117	\$2,449,000	\$2,640,000
Operations & Maintenance	126,227	123,387	122,264	152,000	150,000
Capital Outlay	0	9,300	9,300	0	0
<b>Total Expenditures:</b>	<b>\$2,197,831</b>	<b>\$2,327,173</b>	<b>\$2,305,681</b>	<b>\$2,601,000</b>	<b>\$2,790,000</b>
<b>Departmental Revenue</b>					
Local Fees, Charges, Etc.	\$3,066	\$3,085	\$4,074	\$0	\$0
Commonwealth	475,227	563,165	603,155	532,000	532,000
Federal	16,541	37,374	26,470	29,000	29,000
<b>Total Revenues:</b>	<b>\$494,834</b>	<b>\$603,624</b>	<b>\$633,699</b>	<b>\$561,000</b>	<b>\$561,000</b>
<b>Local Tax Funding:</b>	<b>\$1,702,997</b>	<b>\$1,723,549</b>	<b>\$1,671,982</b>	<b>\$2,040,000</b>	<b>\$2,229,000</b>
<b>FTE Summary:</b>	<b>32.00</b>	<b>32.00</b>	<b>31.00</b>	<b>32.00</b>	<b>33.00</b>

**FY 07 Board Action:** The FY 07 Adopted Fiscal Plan for the Commonwealth's Attorney provides services at the County Administrator's recommended level. The FY 07 budget also reflects the addition of 1.00 FTE for a Domestic Violence Prosecutor in Mid FY 06. The FY 07 budget also includes funding for the implementation of compensation increases and increased benefits costs effective September 2006.

#### **Budget History:**

**FY 03:** The Board approved enhancements totaling 2.00 FTE for a case manager to supervise and maintain caseload for the Victim Witness Program and an attorney to assist with the increasing misdemeanor and felony caseload in the Prosecution section.

**FY 05:** 1.00 FTE was eliminated upon the recommendation of the Commonwealth's Attorney during the FY 05 Proposed Budget process.

**FY 05 Mid-Year:** The Board approved the addition of 1.00 FTE to the Commonwealth's Attorney for a Gang Task Force Prosecutor. This position was partially funded through a grant from the State Compensation Board.

**FY 06 Mid-Year:** The Board added 1.00 FTE for a Domestic Violence prosecutor position.

## Commonwealth's Attorney

### Planned Accomplishments/Objectives for FY 07

**Goal:** Support the fair and efficient administration of justice.

**Objective:** To prosecute criminal cases, review criminal investigations, and render legal opinions and advice, all within the guidelines of the State Supreme Court.

<i>Performance Measures</i>	<b>Actual CY 04</b>	<b>Actual CY 05</b>	<b>Est. CY 06</b>	<b>Proj. CY 07</b>
Number of Circuit Court Cases	1,697	2,200	2,310	2,310
Number of General District Court Cases	71,905	81,000	85,050	85,100
Number of Juvenile & Domestic Relations Cases	30,064	34,000	35,700	37,000
Attorney time per felony	12.0 Hrs	12.0 Hrs	12.0 Hrs	12.0 Hrs
Attorney time per misdemeanor and traffic	2.8 Min	2.8 Min	2.8 Min	2.8 Min
Number of felony cases	1,408	632	664	700
Felony cases ended by plea	41%	41%	41%	50%
Felony cases ended by dismissal or non-prosecution	13%	12%	12%	10%

**Goal:** Support victims and witnesses of crimes.

**Objective:** Provide support, guidance and information regarding the criminal justice system.

<i>Performance Measures</i>	<b>Actual CY 04</b>	<b>Actual CY 05</b>	<b>Est. CY 06</b>	<b>Proj. CY 07</b>
Local brochures distributed	3,858	4,700	4,700	4,700
Number of victims provided services	2,382	2,900	3,000	3,045
Number of victim impact statements issued	118	147	150	154
Number of Criminal Injuries Compensation Fund claims	34	40	42	50
Number of referrals to LAWS and other agencies	859	1,100	1,155	1,200
Reporting of violent crimes against women	581	675	709	750
Percent of victims and witnesses provided with direct services and referred to community resources/services as appropriate	87%	90%	92%	90%